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The Honorable Tana Lin

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

RANDY SHIELDS,

Plaintiff,

No. 2:23-cv-01455-TL

v.

FRED MEYER STORES INC.,

Defendant.

STIPULATED MOTION AND
~~[PROPOSED]~~ ORDER AMENDING
BRIEFING SCHEDULE FOR MOTION TO
DISMISS

Noting Date: November 22, 2023

Plaintiff Randy Shields and Defendant Fred Meyer Stores Inc. jointly move the Court to enter the following Order amending the briefing schedule for Defendant's motion to dismiss. In support of this Stipulated Motion, the Parties state the following:

1. On November 1, 2023, the Parties previously stipulated pursuant to Judge Lin's Standing Order for All Civil Cases to extend the briefing schedule (Dkt. 9).

2. On November 3, 2023, the Clerk provided notice of re-setting deadlines per the Parties' stipulation allowing Defendant to Respond to the Complaint by a Rule 12 motion on November 17, 2023 and Plaintiff to have until December 8, 2023 to file a response to Defendant's Motion to Dismiss or file an Amended Complaint.

3. After the Clerk's notice, the Parties continued to discuss methods of avoiding Defendant's Rule 12 motion, including exchanging informal discovery. To enable Defendant's additional factual investigation, Plaintiff consented to allow Defendant until November 22, 2023 to file its Rule 12 motion.

STIPULATION AND ~~[PROPOSED]~~ ORDER AMENDING
BRIEFING SCHEDULE (No. 2:23-cv-01455-TL)- 1

Davis Wright Tremaine LLP
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1 4. As an accommodation for the extension for filing the motion and the holidays, the
 2 Parties stipulate to the following modest amendment of the Rule 12 briefing schedule:

Event	Due Date
Defendant's Rule 12 motion	Prior: November 17, 2023 Amended: November 22, 2023
Plaintiff's opposition to Defendant's motion or amended complaint	Prior: December 8, 2023 Amended: December 15, 2023
If Plaintiff opposes, Defendant's reply to Rule 12 motion and noting date for motion	Prior: December 22, 2023 Amended: December 29, 2023

8 5. For the foregoing reasons, the Parties jointly respectfully request that the Court
 9 enter an Order setting forth the above amended briefing schedule for the Rule 12 motion filed
 10 concurrently today.

11 Stipulated this 22d day of November, 2023.

12 BERRY & BECKETT, PLLP

DAVIS WRIGHT TREMAINE LLP

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19 *Counsel for Plaintiff and the Proposed Class*

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20 *Counsel for Defendant*

1 **[PROPOSED] ORDER**

2 The parties jointly moved the Court for an amended briefing schedule for Defendant's
 3 motion to dismiss. The briefing deadlines are hereby reset for the following dates:

Event	Due Date
Plaintiff's opposition to Defendant's motion or amended complaint	December 15, 2023
If Plaintiff opposes, Defendant's reply to Rule 12 motion and noting date for motion	December 29, 2023

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 IT IS SO ORDERED.

11 Dated: November 22, 2023

13 
 14 _____
 15 Tana Lin
 United States District Judge

16
 17 Presented by:

18 DAVIS WRIGHT TREMAINE LLP

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